

EXHIBIT A

FILED: NEW YORK COUNTY CLERK 02/07/2019 11:44 AM

INDEX NO. 151344/2019

NYSCEF DOC. NO. 1

RECEIVED NYSCEF: 02/07/2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
DEANNA REISS,

Plaintiff,

-against-

NATIONAL RAILROAD PASSENGER
CORPORATION (AMTRAK),

Defendant.
-----X

Index No.

SUMMONS

Basis of venue is:

CPLR 503(a)

Place of occurrence:

Penn Station, New York

Plaintiff's Residence:

125 Merrick Avenue

Staten Island, NY 10301

YOU ARE HEREBY SUMMONED to appear in the Supreme Court of the State of New York, County of Richmond at the office of the Clerk of the said Court at 26 Central Avenue, Staten Island, New York in the County of Richmond, City and State of New York, within the time provided by law as noted below and to file your answer to the annexed complaint with the Clerk; upon your failure to answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default of the relief demanded in the complaint.

Dated: February 7, 2019

Yours etc.,

Defendants' Address:

Amtrak Corporate Office
1 Massachusetts Ave. N.W.
5th Floor
Washington, D.C. 20001

HOWARD M. FILE, ESQ. P.C.
Attorneys for Plaintiffs
260 Christopher Lane, Suite 102
Staten Island, New York 10314
(718) 494 - 8800

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Defendant.
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COMPLAINT

Index No.

Plaintiff, DEANNA REISS, by her attorneys, HOWARD M. FILE, ESQ., P.C.,
complaining of Defendant, alleges:

1. Defendant National Railroad Passenger Corporation is duly organized and existing under Federal Law and is engaged in the operation of inter-city passenger rail service throughout the United States.

2. On May 18, 2018 and May 19, 2018, Deanna Reiss was a passenger on a train operated by Defendant from Washington, D.C. scheduled for New York Penn Station.

3. Plaintiff had, upon information and belief, Reservation No. 30ADDC for Train 90 scheduled to depart Washington, D.C. on May 18, 2018 at 8:30 p.m. and arrive in New York Penn Station May 18, 2018 at 11:58 p.m.

4. That the Plaintiff's train was delayed and Plaintiff departed Washington, D.C. on or about 10:40 p.m.

5. That the Plaintiff had fallen asleep on the train and was taken on the train to the Sunnyside Train Depot on May 19, 2018.

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6. That while plaintiff was on the train in the Sunnyside Train Depot at approximately 3:00 a.m. to 4:00 a.m., the train was brought to a violent, abrupt, unreasonably forceful stop.

7. That Plaintiff, who was asleep on the train, was thrown from her seat and caused to sustain serious injuries, including aggravation of prior pre-existing conditions.

8. That the foregoing occurrence took place by reason of the negligence of Defendant by and through its employees.

9. That included in the negligence of Defendant was the failure to walk through the train at New York Penn Station as required by proper railroad procedures, failing to awaken and see to it that the Plaintiff passenger had departed from the train at Penn Station, leaving Penn Station with the Plaintiff passenger still in the train, proceeding to Sunnyside Train Depot with the Plaintiff passenger in the train, and bringing the train to a violent, abrupt, unreasonably forceful stop, throwing the Plaintiff pedestrian from her seat, and the Defendant was otherwise negligent.

10. As a result of the negligence of Defendant, Plaintiff was caused to sustain general, compensatory, and special damages in excess of the jurisdictional limits of all lower courts.

11. Plaintiff demands punitive damages for harm done to her as a result of conduct carried out by Defendant, its employees, agents, and those for whom it is responsible, with a conscious flagrant indifference to the rights and safety of others including herself.

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WHEREFORE, the Plaintiff Deanna Reiss demands judgment against Defendant National Railroad Passenger Corporation (Amtrak) for general, compensatory, special damages, and punitive damages, together with interest, costs, and disbursements.

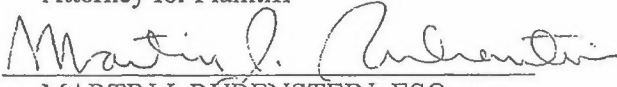
Dated: Staten Island, New York
February 7, 2019

Yours, etc.,

HOWARD M. FILE, ESQ., P.C.

Attorney for Plaintiff

By:


MARTIN J. RUBENSTEIN, ESQ.

260 Christopher Lane, Suite 102
Staten Island, New York 10314
(718) 494-8800